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6 **UNITED STATES BANKRUPTCY COURT**
7 **EASTERN DISTRICT OF WASHINGTON**

8 In re:

9 Giga Watt Inc.

10
11 Debtor

Case No. 18-03197-FPC11

UNITED STATES TRUSTEE'S
MOTION TO CONVERT

12 The United States Trustee moves the court for an order converting it to a case
13 under Chapter 7. The United States Trustee does so pursuant to §1112(b) of the
14 Bankruptcy Code for the following reason(s):
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- 16 1. The Trustee has now discontinued the Debtor's operations and sold its
17 operating assets. It appears that the only assets remaining to be
18 administered are a condominium the Trustee obtained in a settlement with
19 one of the Debtor's principals (which is currently listed for sale) and a
20 number of potential legal claims.
- 21 2. This case is over 18 months old yet no proposed plan has ever been filed.
22 The Unsecured Creditors Committee did file a proposed Disclosure
23 Statement (but no plan) in December of 2019, but it has not taken any
24 steps since then to move that proposal forward.

25 There is no current indication that any party will propose a confirmable plan of
26 reorganization in this case. Meanwhile, the Debtor is continuing to incur substantial
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1 administrative costs resulting in the diminution of the estate. Because there is no
2 confirmable plan of reorganization in prospect, there is no reason for this case to
3 remain in Chapter 11 and it should be converted to Chapter 7.

4 The United States Trustee further requests that if conversion to Chapter 7 is
5 ordered, that the order to convert contain the following language:

6 It is further ordered that the debtor pay to the United States Trustee
7 all fees payable under 28 U.S.C. § 1930(a)(6).

8 For all of the foregoing reasons, the United States Trustee asks the Court to enter an
9 order converting it to one under Chapter 7 of the Bankruptcy Code.

10 Dated: August 3, 2020
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12 Respectfully submitted,

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14 GREGORY M. GARVIN
Acting United States Trustee

15 /s/ James D. Perkins
16 JAMES D. PERKINS
Attorney for the United States Trustee
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